

annual adjustments and to publish a notice in the **Federal Register** each calendar year, announcing annual adjustments in allowable charges that may be made by covered agricultural and logging employers for providing three meals daily to their U.S. and alien workers. The 2005, rates were published in the **Federal Register** Notice, 70 FR 10152, (March 2, 2005).

DOL has determined the percentage change between December of 2004, and December of 2005, for the CPI-U for Food was 2.4 percent. Accordingly, the maximum allowable charges under 20 CFR 655.102(b)(4), 655.202(b)(4), 655.111, and 655.211 were adjusted using this percentage change, and the new permissible charges for 2006, are as follows: (1) Charges under 20 CFR 655.102(b)(4) and 655.202(b)(4) shall be no more than \$9.30 per day, unless ETA has approved a higher charge pursuant to 20 CFR 655.111 or 655.211; (2) charges under 20 CFR 655.111 and 655.211 shall be no more than \$11.52 per day, if the employer justifies the charge and submits to ETA the documentation required to support the higher charge.

C. Maximum Travel Subsistence Expense

The regulations at 20 CFR 655.102(b)(5) establish that the minimum daily subsistence expense related to travel expenses, for which a worker is entitled to reimbursement, is equivalent to the employer's daily charge for three meals or, if the employer makes no charge, the amount permitted under 20 CFR 655.104(b)(4). The regulation is silent about the maximum amount to which a qualifying worker is entitled.

The Department, in Field Memorandum 42-94, established the maximum meals component of the standard continental United States (CONUS) per diem rate established by the General Services Administration (GSA) and published at 41 CFR Pt. 301. The CONUS meal component is now \$39.00 per day.

Workers who qualify for travel reimbursement are entitled to reimbursement up to the CONUS meal rate for related subsistence when they provide receipts. In determining the appropriate amount of subsistence reimbursement, the employer may use the GSA system under which a traveler qualifies for meal expense reimbursement per quarter of a day. Thus, a worker whose travel occurred during two quarters of a day is entitled, with receipts, to a maximum reimbursement of \$19.50. If a worker has no receipts, the employer is not

obligated to reimburse above the minimum stated at 20 CFR 655.102(b)(4) as specified above.

Signed in Washington, DC this 7 day of March, 2006.

Emily Stover DeRocco,

Assistant Secretary, Employment and Training Administration.

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DEPARTMENT OF LABOR

Employment and Training Administration

Workforce Security Programs: Unemployment Insurance Program Letters Interpreting Federal Law, UIPL 14-05 and UIPL 14-05, Change 1

AGENCY: Employment and Training Administration.

ACTION: Notice.

SUMMARY: In December 2002, the Employment and Training Administration (ETA) began a review of the performance management system for the Unemployment Insurance (UI) program. The review addressed the following topics: (a) The performance measures; (b) the criteria used to gauge success against the measures; and (c) the administration of UI Performs. ETA conducted the review in significant consultation with State Workforce Agencies (SWAs) and indirectly through the National Association of State Workforce Agencies' Subcommittee for UI Performs. ETA contracted with Mathematica Policy Research, Inc. to assist with the data analyses.

The review resulted in a recommendation that ETA publish a guidance to streamline the UI performance management system (UI Performs) in the following three significant ways: (1) Reduce the number of performance goals to a few "core" measures; (2) utilize the data of the remaining measures for program management with no performance goals; and (3) streamline the State Quality Service Plan narrative. In response, on June 16, 2004, ETA published UIPL No. 21-04, which outlined the proposed changes to UI Perform and invited public comments. (69 FR 33669 (2004)).

UIPL 14-05

At the end of the comment period, ETA issued UIPL 14-05 to advise SWAs of the changes made to UI Performs based on the recommendation and data of the comprehensive review and the comments received in response to the June 2004 UIPL. UIPL 14-05 also

summarized the comments that were received in response to the June 2004 publication and established the effective dates for implementing the changes.

In order to fully implement the changes outlined in UIPL 14-05, ETA collected additional data to analyze and formulate policy on the definitions and to determine the Acceptable Levels of Performance (ALPs). Through this Notice, ETA is publishing UIPL 14-05, Change 1, which describes ETA's policy on these issues and the requirements for SWAs.

UIPL 14-05, Change 1

UIPL 14-05, Change 1 identifies the methodology used to measure performance and set the ALP for the detection of overpayments. In addition, this UIPL clarifies the methods for measuring the average age of pending lower and higher authority appeals and clarifies the implementation schedule for the tax quality measure corrective action plans.

DATES: UIPL 14-05 was effective on February 18, 2005. UIPL 14-05, Change 1 was effective on October 12, 2005.

FOR FURTHER INFORMATION CONTACT: Delores Mackall, Office of Workforce Security, Employment and Training Administration, 200 Constitution Avenue, NW., Room 4231, Washington, DC 20210. Telephone (202) 693-3183 (this is not a toll-free number). Individuals with hearing or speech impairments may access the telephone number above via TTY by calling the toll-free Federal Information Relay Service at (800) 877-8339.

SUPPLEMENTARY INFORMATION: Please go to <http://wdr.doleta.gov/directives/> to view a copy of UIPL 14-05 and UIPL 14-05, Change 1.

Signed in Washington, DC, this 8th day of March, 2006.

Emily Stover DeRocco,

Assistant Secretary of Labor, Employment and Training Administration.

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DEPARTMENT OF LABOR

Employment Standards Administration

Proposed Collection; Comment Request

ACTION: Notice.

SUMMARY: The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, conducts a preclearance consultation program to provide the general public and Federal agencies with an